

1 **JERRY MOBERG & ASSOCIATES**

2 Jerry Moberg
3 jmoberg@jmlawps.com
4 124 Third Avenue, SW
5 Ephrata, WA 98823
6 (509) 754-2356

7 **PILLSBURY WINTHROP SHAW PITTMAN LLP**

8 David Klein
9 david.klein@pillsburylaw.com
10 John Chamberlain
11 john.chamberlain@pillsburylaw.com
12 1200 Seventeenth Street, NW
13 Washington, DC 20036
14 (202) 663-8000

15 *Attorneys for Petitioners*

16 **IN THE UNITED STATES DISTRICT COURT**
17 **FOR THE EASTERN DISTRICT OF WASHINGTON**

18 In Re Application of ZAYN AL-
19 ABIDIN MUHAMMAD HUSAYN
20 (Abu Zubaydah) and
21 BARTŁOMIEJ JANKOWSKI,
22 Petitioners

23 Case No. 2:17-cv-00171-JLQ

24 **DECLARATION OF BARTŁOMIEJ**
25 **JANKOWSKI IN SUPPORT OF**
26 **PETITIONERS' RESPONSE TO**
27 **THE UNITED STATES'**
28 **STATEMENT OF INTEREST**

29
30 I, Bartłomiej Jankowski, do hereby make this declaration pursuant to 28
31 U.S.C. § 1746 supporting the response of Petitioners Zayn Al-Abidin
32 Muhammad Husayn (“Abu Zubaydah”) and Joseph Margulies to the United
33

34 **DECLARATION OF**
35 **BARTŁOMIEJ JANKOWSKI**

1 States' Statement of Interest. On the basis of my personal knowledge, I state as
2 follows:
3

4 1. I am a Polish citizen and attorney, and I serve as counsel to Abu
5 Zubaydah. Together with co-counsel, I represented Abu Zubaydah in his
6 application against Poland before the European Court of Human Rights, and
7 continue to represent him as the victim of crimes currently under investigation
8 by the Organized Crimes Division of the Regional Public Prosecutor's office in
9 Kraków, Poland.
10

11 2. Under Polish law, as a victim of the crimes under investigation
12 Abu Zubaydah has substantial procedural rights in the investigation, including
13 the right to appeal to the judiciary as an aggrieved party if the investigation
14 closes without any prosecution, and the right to compensation if the
15 investigation results in convictions. The above stems from the provisions of
16 Article 306 § 1a point 1) of the Polish Criminal Procedure Code and Article 46
17 of the Polish Criminal Code respectively.
18

19 3. Abu Zubaydah, as a victim of the crimes under investigation, also
20 has the right under Polish law to submit evidence to aid the investigation. The
21 above stems from the provisions of Article 167 of the Polish Criminal
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1 Procedure Code. I understand that Petitioners' application before this Court has
2 been made in furtherance of that right.
3
4
5

6 I declare under penalty of perjury under the laws of the United States of
7 America that the foregoing is true and correct.
8
9

10 Executed on: JULY 19, 2017

11 Bartłomiej Jankowski
12 Bartłomiej Jankowski
13
14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF WASHINGTON
16
17 In re Application of ZAYN AL-
18 MUHAMMAD AND JOSEPH MURRAY
19 (Case No. 17-cv-00171-JLQ)
20
21 DECLARATION OF BARTŁOMIEJ
22 JANKOWSKI IN SUPPORT OF
23 PETITIONERS' RESPONSE TO
24 THE UNITED STATES' STATEMENT OF INTEREST
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28

I, Bartłomiej Jankowski, do hereby make this declaration pursuant to 28
U.S.C. § 1746 supporting the response of Petitioners Zayn Al-Abedin
Muhammad the 7th ("Abu Zubaydah") and Joseph Margulies to the United

DECLARATION OF
BARTŁOMIEJ JANKOWSKI

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Andrew Irvin Warden
andrew.warden@usdoj.gov

Attorney for the United States

s/ Jerry Moberg

Jerry Moberg
jmoberg@jmlawps.com
JERRY MOBERG & ASSOCIATES
124 Third Avenue, SW
Ephrata, WA 98823
(509) 754-2356

DECLARATION OF BARTŁOMIEJ JANKOWSKI